
APPLICATION FOR REASONABLE ACCOMMODATION

It is the policy of Jefferson Parish (the “Parish”), pursuant to the federal Fair Housing Amendments Act of 1988 and applicable state laws, to provide individuals with disabilities reasonable accommodation in the Parish’s zoning and land use regulations, rules, policies and practices to ensure equal access to housing and to facilitate the development of housing for individuals with disabilities. Reasonable accommodations in the zoning and land use context means providing individuals with disabilities, or developers of housing for people with disabilities, flexibility in the application of land use, zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

The Parish Attorney’s Office will submit the application to the Land Use Review Technical Committee (LURTC) for review. The written decision to grant, grant with modifications or conditions, or deny a request for reasonable accommodation shall be consistent with applicable fair housing laws and based upon the following factors:

1. Whether the housing that is the subject of the request for reasonable accommodation will be used by an individual with a disability protected under the applicable fair housing laws.
2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the applicable fair housing laws.
3. Whether the requested accommodation would impose an undue financial or administrative burden on Jefferson Parish.
4. Whether the requested accommodation would require a fundamental alteration in the nature of Jefferson Parish’s land use and zoning or building program.
5. Whether the requested accommodation would, under the specific facts of the case, result in a threat to the health or safety of other individuals or substantially damage the property of others.

The Parish may approve alternative reasonable accommodations that provide an equivalent level of benefit to the applicant with respect to (a) enabling the individual(s) with the disability to use and enjoy the dwelling, or (b) making the development of housing for individuals with disabilities financially or practically feasible.

A. Factors for Consideration – Necessity. The Parish may consider, but is not limited to, the following factors in determining whether the requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling:

1. Whether the requested accommodation will affirmatively enhance the quality of life of one or more individuals with a disability.
2. Whether the individual(s) with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation.
3. In the case of developers or providers of housing for individuals with disabilities, whether the requested accommodation is necessary to make a facility or facilities of a similar nature or operation economically viable in light of the relevant market and market participants.
4. In the case of developers or providers of housing for individuals with disabilities, whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individual(s) with a disability an equal opportunity to live in a residential setting.

B. Factors for Consideration – Fundamental Alteration/Reasonableness. The Parish may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of Jefferson Parish’s built environment:

1. Whether the requested accommodation would fundamentally alter the character of a neighborhood.
2. Whether the accommodation would result in a substantial increase in traffic or insufficient parking.
3. Whether granting the requested accommodation would substantially undermine any express purpose of the Jefferson Parish Comprehensive Plan.
4. In the case of a developer or provider of housing for individuals with disabilities, whether the requested accommodation would create an institutionalized environment due to the number of, and distance between, facilities that are similar in nature or operation.

CASE NUMBER:

DATE RECEIVED:

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REQUIRED DOCUMENTATION

- Completed application with all required information & signed by owner or authorized agent.
- Site Plan of the entire lot(s) showing property lines and all buildings or structures, with distance from property line indicated. All off-street parking areas, driveways, interior streets, paving, mechanical equipment, or other surfaces should be shown and dimensioned on the plans.
- Photographs of the subject site(s) and building(s).
- Floor Plan(s) of the entire structure(s) showing room use, dimensions, walls, doors, windows, major appliances, plumbing fixtures, stairs, or other egress.
- Architectural Elevations of each side of the proposed structure(s) indicating height, architectural elements such as windows, doors, materials, textures, and other information.

PROPERTY OWNER INFORMATION

Applicant Name: _____
 Applicant's Address: _____
 Applicant's Phone: _____
 Applicant's Email Address: _____

Property Owner Name: _____
 Property Owner Address: _____
 Property Owner Phone: _____
 Property Owner Email Address: _____

If ownership is joint, each owner must be listed. If ownership is a partnership, the Partnership Agreement must be included. If ownership is a corporation, Article of Incorporation and a Board Resolution authorizing an individual or agent to sign on behalf or if ownership is a LLC, Articles of Organization and legal documentation authorizing an individual or agent to sign on its behalf must be included. If necessary, submit proof of ownership documents, such as copies of the recorded act of sale, act of exchange, act of donation, cash sale or deed. Appropriate documentation is also required for successions.

SITE INFORMATION

Street Address: _____
 Lot(s): _____ Square: _____
 Subdivision: _____
 Bounding Streets: _____
 Current Zoning: _____

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WAIVER INFORMATION

1. What is the specific proposed use of the property?

2. Please provide a description of the type of disability at issue:

3. What accommodation is being requested? Please state the specific regulation(s), policy, or procedure for which the accommodation is sought:

4. State the following information:

- a. The number of full-time residents of this facility, including resident caregivers or supervisors: _____.
- b. The number of part-time residents of this facility: _____.
- c. The number of persons who will be assisting or supervising other residents, and will be full-time residents of the facility: _____.
- d. The number of persons who will be assisting or supervising other residents, and will be not be full-time residents of the facility: _____.

5. Please provide an explanation and documentation that the specific accommodation requested by the applicant is necessary for the individual(s) with the disability to use and enjoy the dwelling, or is necessary to make the development of housing for individuals with disabilities financially or practically feasible. (If you need more room, please attach necessary documents):

6. To your knowledge, are any of the persons residing or expecting to reside in the proposed facility currently addicted to or illegally abusing a controlled substance? _____.

7. To your knowledge, are any of the persons residing or expecting to reside in the proposed facility ever been convicted of illegal manufacture or distribution of a controlled substance? _____.

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8. Has any application been submitted to Jefferson Parish concerning any part of the subject party within the last two years? _____.
9. Identify any licenses for which applicant has applied or has obtained regarding the operation of the proposed facility. Please attach a copy of each license application or license, including occupational license at the operator of a business, if applicable.

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10. Please explain whether the occupants of the facility will be capable of responding to an emergency without the physical assistance from a resident supervisor/staff member.
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NOTE: The "Application for Reasonable Accommodation Affidavit of Acknowledgment" must be signed under oath in the presence of a Notary Public by Applicant and Property Owner and Licensee (if applicable). A notarized written authorization must be submitted where an authorized agent signs in lieu of Applicant, Property Owner or Licensee. [See next two (2) pages for affidavit of acknowledgment.] Applications that are not notarized will not be accepted.

A floor plan of the building or the proposed building and a site plan of the property must be submitted with the application. These plans must show any existing building and also show any changes that will be made to an existing building. Applications will not be considered complete without such plans and shall not be reviewed until the plans are received by the Parish.

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AFFIDAVIT OF ACKNOWLEDGMENT

In filing this application for reasonable accommodation, the undersigned acknowledge that the application becomes a part of the public record of the Parish of Jefferson, State of Louisiana. The undersigned, after being duly sworn, hereby certify that all information contained herein is accurate to the best of their knowledge and further acknowledge that they are aware that any false statement contained in the application shall constitute false swearing which, under La. R.S. 14:125, is punishable by a fine of no more that five hundred dollars [\$500.00], or imprisonment for not more than one year, or both.

Signature of Applicant

SWORN TO AND SUBSCRIBED before me, Notary, on this ____ day of _____, 20__ in the Parish of _____, State of Louisiana.

NOTARY PUBLIC
[Print Name and ID Number of Notary Public underneath]

Signature of Property Owner

SWORN TO AND SUBSCRIBED before me, Notary, on this ____ day of _____, 20__ in the Parish of _____, State of Louisiana.

NOTARY PUBLIC
[Print Name and ID Number of Notary Public underneath]

Signature of Licensee

SWORN TO AND SUBSCRIBED before me, Notary, on this ____ day of _____, 20__ in the Parish of _____, State of Louisiana.

NOTARY PUBLIC
[Print Name and ID Number of Notary Public underneath]